

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<b>In re</b>	:	<b>Chapter 7</b>
<b>RAFAIL THEOKARY</b>	:	
<b>Debtor(s)</b>	:	<b>Bky. No. 07-11008ELF</b>
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<b>RAFAIL THEOKARY</b>	:	
<b>Plaintiff(s)</b>	:	
v.		
<b>TOM SHAY, et al.</b>	:	
<b>Defendant(s)</b>	:	<b>Adv. No. 09-00051ELF</b>
:		

**O R D E R**

**AND NOW**, Plaintiff Rafail Theokary having filed a second Motion for Judgment on the Pleadings ("the Motion") (Docket Entry Nos. 40, 42) on May 4, 2009,

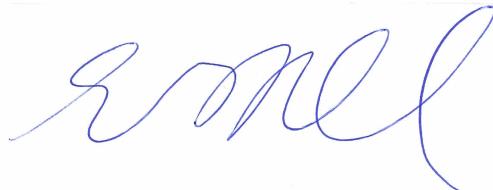
**AND**, the Plaintiff having self-scheduled a hearing on the Motion for **June 10, 2009**,

**AND**, the self-scheduling procedure set forth in L.B.R. 9014-3(c) providing that prior to filing a motion, a party shall obtain a hearing date in the manner provided in L.B.R. 5070-1,

**AND**, L.B.R. 5070-1 (a) requiring that a person filing a motion "consult with the courtroom deputy" to obtain a hearing date on the judge's calendar,

**AND**, the standard practice before the undersigned judge, as set forth on the court website ([http://www.paeb.uscourts.gov/pages/frankylef\\_calendar.htm](http://www.paeb.uscourts.gov/pages/frankylef_calendar.htm)) and in the automated telephonic message prepared by the courtroom deputy being that hearing dates will be assigned to dispositive motions only after the responses to such motions have been filed,

It is hereby **ORDERED** that the hearing scheduled for **June 10, 2009** is **CANCELED**.



Date: May 4, 2009

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**ERIC L. FRANK**  
**U.S. BANKRUPTCY JUDGE**